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5 IN THE UNITED STATES DISTRICT COURT
6 WESTERN DISTRICT OF WASHINGTON

7 EMAN BAYANI, individually and on behalf of all
8 others similarly situated,

9 Plaintiff,

10 vs.

11 T-MOBILE USA, INC.,

12 Defendant.

13 Case No. 2:23-cv-00271-JHC

14 STIPULATION AND ORDER REGARDING
15 INITIAL CASE DEADLINES

16 I. STIPULATION

17 The parties, by and through counsel, stipulate and agree as follows:

18 1. On February 27, 2023, Plaintiff Eman Bayani ("Bayani") commenced a putative
19 class action in this Court. (ECF No. 1.)

20 2. On April 24, 2023, T-Mobile filed a Motion to Dismiss. (ECF No. 19.)

21 3. On October 20, 2023, the Court issued an order granting in part and denying in
22 part T-Mobile's Motion to Dismiss. (ECF No. 32.)

23 4. On November 3, 2023, the parties submitted a joint proposed case schedule that
24 included deadlines for completing discovery on numerosity and for briefing class certification.
(ECF No. 33.) The Court entered the proposed schedule on November 6, 2023. (ECF No. 34.)

25 5. On November 28, 2023, Plaintiff propounded discovery requests directed at the
26 issue of numerosity on T-Mobile. After multiple agreed extensions, T-Mobile produced its initial
27 objections and responses on January 18, 2024. The parties met and conferred on the discovery

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1 responses on February 8, 2024 and March 12, 2024. The parties agreed to informally extend the
 2 deadline for numerosity discovery while T-Mobile's counsel conferred with their client. T-
 3 Mobile provided amended responses on March 20, 2024, including a declaration that described
 4 the process T-Mobile used to identify potential class members. The parties met and conferred
 5 regarding the amended responses on March 26, 2024. T-Mobile provided further responses on
 6 April 5, 2024.

7 6. In light of the latest discovery responses, Plaintiff is evaluating whether further
 8 numerosity discovery is necessary and whether he will ultimately pursue this case individually
 9 or as a class action.

10 7. Because of the agreement to limit discovery to numerosity issues before
 11 conducting full class discovery, and the possibility that numerosity may be dispositive of class
 12 certification in this case, the parties have not yet engaged in much of the discovery that will be
 13 necessary to prepare to brief class certification. Good cause exists to defer discovery on other
 14 issues and extend the schedule for class certification briefing so that the parties may focus on
 15 resolving the numerosity issue.

16 8. Therefore, the parties joint request that the Court enter an order extending the
 17 class certification deadlines as follows:

EVENT	CURRENT DEADLINE	PROPOSED DEADLINE
Deadline for discovery related to numerosity. The parties agree to stay discovery on other issues until numerosity discovery is complete.	2/23/2024	6/21/2024
Plaintiff's motion for class certification	6/21/2024	9/20/2024
Defendants' response to class certification motion	7/19/2024	10/18/2024
Plaintiff's reply in support of motion for class certification	8/2/2024	11/1/2024

1 STIPULATED TO AND DATED this 24th day of April, 2024.

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II. ORDER

Based on the parties' stipulation, IT IS SO ORDERED.

DATED this 24th day of April, 2024.

John H. Chan

JOHN H. CHUN
UNITED STATES DISTRICT JUDGE